IN THE UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF NORTH CAROLINA CHARLOTTE DIVISION CIVIL ACTION NO. 3:19-CV-361-DCK

KRISTEN CUCCIA,)
Plaintiff,)
v.)) <u>ORDER</u>
PROTECTIVE LIFE INSURANCE COMPANY,)
Defendant.)
)

THIS MATTER IS BEFORE THE COURT on the "Joint Motion For Entry Of Consent Order" (Document No. 242) filed November 19, 2019, permitting the release of certain criminal investigative records sought via subpoena issued by Defendant on October 24, 2019 in this matter. This motion has been referred to the undersigned Magistrate Judge pursuant to 28 U.S.C. § 636(b), and immediate review is appropriate. Having carefully considered the motion and the record, and noting consent of the parties, the undersigned will grant the motion.

On October 24, 2019, Defendant issued a subpoena to non-party Union County Sheriff's Office to obtain records maintained by the Sheriff of Union County pertaining to criminal investigations of George Cuccia, including OCA incident report numbered 2017-00228.

In response to the subpoenas, counsel for the Union County Sheriff's Office alerted counsel for Defendant that certain statutory provisions protected the release of such information absent a court order. Counsel have conferred regarding these issues and believe that the best course of action is to secure an order from this Court permitting the release of these records in response to the aforementioned subpoena. The remaining parties to this matter consent to the relief requested

in this motion. Thus, pursuant to LCvR 7.1(b), the parties to this matter have conferred and agree to the relief sought herein.

In light of the representations of the parties as well as counsel for Union County Sheriff's

Office, the Court finds that this motion is meritorious, and as such, orders that the Union County

Sheriff's Office produce their full and complete criminal investigative records responsive to the

subpoena issued by Defendant on October 24, 2019 within fourteen (14) days of the date of this

Order to Defendant's Counsel. The Union County Sheriff's Office is not required to comply with

the redaction rules of the Federal Rules of Civil Procedure.

IT IS, THEREFORE, ORDERED that the "Joint Motion For Entry Of Consent Order"

(Document No. 24) is **GRANTED**.

Signed: November 19, 2019

David C. Keesler

United States Magistrate Judge